

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2450 OF 2004

Bharat Sanchar Nigam Ltd. ..Petitioner.

Vs.

The State of Maharashtra & Ors. ..
Respondents.

....

Mr. A.S. Rao for the petitioner.

Ms. Geeta Shastri, AGP for the respondents.

....

**CORAM : DALVEER BHANDARI, C.J.&
DR.D.Y.CHANDRACHUD, J.**

29th November, 2004.

P.C. :

1. The petitioner is aggrieved by the order dated 29th July, 2004 passed by the learned Sub-Divisional Officer, Mumbai Suburban District and demand notices dated 19th December, 2002 and 13th November, 2003 issued by the Tahsildar - Kurla.

2. The Sub-Divisional Officer directed that the occupant should pay Rs.1,47,46,875/- as conversion is 5 times of the annual assessment as provided under Section 47(b) of the Maharashtra Land Revenue Code, 1966. According to Section 247 of the Maharashtra Land Revenue Code, 1966 this order is appealable.

In view of the fact that statutory appeal has been provided, we see no reason to exercise our extra-ordinary jurisdiction under Article 226 of the Constitution.

3. The learned counsel for the petitioner submits that he would avail of the statutory remedy to file an appeal under Section 247 of the Act and delay in filing the appeal be condoned. The learned Assistant Government Pleader appearing on behalf of the respondents submits that if appeal is filed within two weeks from today, then she would not press the point of limitation before the Sub-Divisional Officer. No further directions are necessary. This petition is accordingly disposed of.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD,

J.